

REMARKS

Claims 1-30, 32-63, and 65-67 are pending in the present Application. Claims 1 and 35 are being amended. Support for these amendments can be found at least on page 10, line 23 – page 11 line 10 of the Specification, as originally filed. New claims 68-71 are being added. Support for these amendments can be found at least on page 7 lines 8-15 and page 10 line 28 – page 11 line 5 of the Specification, as originally filed. No new matter is being introduced by way of these amendments.

Regarding New Claims 68-71

Support for these new claims can be found at least on page 7 lines 8-15 and page 10 line 28 – page 11 line 5 of the Specification, as originally filed. No new matter is being introduced by way of these amendments.

Regarding § 103 Rejections

In the Office Action, claims 1-30, 32-63, and 65-67 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Alexander *et al.* (U.S. Patent Number 6,177, 931, hereinafter “Alexander”) in view of Sahota (U.S. Patent Pub 2002/0010928).

Amended base claim 1 now recites, in part, “wherein the transmission schedule contains control data that specifies a condition for activating the promotion for display in the display and the transmission schedule is received as a message which is individually addressed to the network device,” where the underlined text are limitations added by way of amendment in the Claim Listing above.

Referring to the Applicants’ claimed invention briefly, in one embodiment, transmission schedules are customized for each network device specifying when and how each network device is to receive promotions. Specification, page 7 lines 13-15. In another embodiment, the transmission schedules (scheduling information) are transmitted to each network device through a messaging protocol for unicast transmission (e.g., TCP/IP or UDP/IP). Specification, page 10 line 28 – page 11 line 5. In contrast, promotions (or content) are not transmitted through the same messaging protocol as the transmission schedules. *Id.* Instead, the promotions are

transmitted through a messaging protocol capable of efficiently transmitting multicast and broadcast media. *Id.* As such, while the promotions are received as messages addressed to multiple or all network devices, the transmission schedules containing control data specifying conditions for activating those promotions, are received as messages individually addressed to each of the network devices.

In this way, the Applicants' claimed invention effectively targets promotions to specific individual network devices. Specification, page 2 lines 22-26. Moreover, the Applicants' claimed invention enables promotions to be displayed at designated times independent of what viewers are watching. Specification, page 11 lines 8-10.

In contrast, the Alexander reference is directed at linking an advertisement with a time and channel of a program and enabling a user to select the program by pressing a select key on a remote control unit. Alexander, column 4, lines 28-43 and column 5, lines 7-14. Stated differently, Alexander does not teach receiving a transmission schedule that contains conditions for activating promotions, as is claimed by the Applicants. Since Alexander does not teach such a transmission schedule, it stands to reason that Alexander CANNOT teach a receiving a transmission schedule as a message which is individually addressed to a network device, as claimed in base Claim 1

Similar to the Alexander reference, the Sahota reference does not teach receiving a transmission schedule as a message which is individually addressed to a network device. Rather, Sahota is directed at automatically integrating enhanced content with content to form interactive content. Specifically, Shahota describes inserting an ATVEF trigger into a TV commercial to link the TV commercial with an Internet advertisement. Sahota, FIG. 2 and paragraph 0053. Shahota further describes sending an ATVEF trigger together with a video data stream to a multiplexer/encoder to cause the multiplexer/encoder to integrate interactive content into the video data stream. Sahota, paragraph 0058.

Since Sahota's ATVEF triggers (similarly VBI encoding) are either part of the TV commercial or sent in conjunction with the TV commercial, and there is no notion the TV commercials themselves are individually addressed to the settop box, it stands to reason that the ATVEF triggers are not received as messages individually addressed to settop boxes. In fact, in

Sahota, the TV commercials are broadcasted and as such, the ATVEF triggers are not received by individual settop boxes, but are received by all settop boxes.

Moreover, in contrast to the Applicants' claimed invention, in Sahota there is no a notion that enhanced content may be displayed independently of content. In fact, Sahota, referring to FIG. 3 and 4, describes a TV commercial being linked or integrated with an Internet advertisement. Consequently, an Internet advertisement will only be displayed when a TV commercial integrating the Internet advertisement is displayed as well. Presently differently, a particular Internet advertisement CANNOT be displayed without displaying a particular TV commercial.

The distinction between the Applicants' individually addressed, and thus individually received transmission schedule and Sahota's ATVEF triggers is further illustrated by comparing, for example, the Applicants' FIG. 2, reference numbers 3 and 7, against Sahota's FIG. 2, where Sahota's ATVEF triggers are inserted ("ATVEF Data insertion") into a TV broadcast and are received by all settop boxes.

Accordingly, the Sahota reference does not teach, suggest, nor provide motivation for the Applicants' claim 1 ("...a transmission schedule wherein the transmission schedule contains control data that specifies a condition for activating the promotion for display in the display and the transmission schedule is received as a message which is individually addressed to the network_device"). Amended base claim 35 recites similar limitations. As such, the Applicants' respectfully submit base claim 35 is in conditional for allowance for at least the same reasons.

Dependant claims 2-30, 32-34, 36-63, and 65-67 inherit the limitations of their respective base claims. As such, the Applicants' respectfully submit these claims are in condition for allowance.

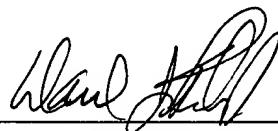
Thus, the § 103(a) rejection of claims 1-30, 32-63, and 65-67 using Alexander in view of Sahota is believed to be overcome. Allowance of these claims is respectfully requested.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims (1-30, 32-34, 36-63, and 65-69) are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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